

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

BEVERLY A. WELTER,

Debtor

Bankruptcy No. 03-32235  
Chapter 7

Adversary No.

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Michael S. Dietz, Trustee for the  
Bankruptcy Estate of Beverly A. Welter

Plaintiff,

vs.

Troy R. Welter,

Defendant.

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**COMPLAINT TO AVOID  
FRAUDULENT TRANSFERS**

For his Complaint against Defendant Troy R. Welter, the Trustee Michael S. Dietz respectfully alleges as follows:

1. Michael S. Dietz is the duly qualified and acting Trustee in this case.
2. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§ 1134 and 157.
3. This is a core proceeding within the meaning of 28 U.S.C. §157 (b)(2)(F).
4. The Bankruptcy Petition was filed by the above-named Debtor on March 27, 2003.
5. On August 20, 2002, the Debtor transferred real property legally described as: Lot 10, Block 3, Hubbard's Addition to Winona valued at approximately \$6,500.00 to Defendant Troy R. Welter. This was within one year of Debtor filing her bankruptcy petition.
6. Pursuant to 11 U.S.C. §548 the Trustee may avoid any transfer of an interest of the debtor in property, or any obligation incurred by the debtor that was made or incurred within one year

before the date of the filing of the Petition if the debtor voluntarily or involuntarily received less than a reasonably equivalent value in exchange for such transfer or obligation and was insolvent on the date that such transfer was made.

7. The transfer of real property legally described as: Lot 10, Block 3, Hubbard's Addition to Winona was made while the Debtor was insolvent.
8. The transfer of the real property is recoverable by the bankruptcy estate pursuant to 11 U.S.C. §§ 548 and 550.

**WHEREFORE**, Plaintiff prays that this Court makes its Order: 1) avoiding the fraudulent transfer and 2) entering a judgment against Defendant and in favor of Plaintiff requiring the Defendant to turnover \$6,500.00 to the Trustee within 10 days.

Dated: April 9, 2004

DUNLAP & SEEGER, P.A.

By: /s/ Phong Luong  
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